

In the United States District Court
for the Middle District of North Carolina
Greensboro Division

Defendant, Brian David Hill

v.

Criminal Action No. 1:13-cr-435-1

Plaintiff, United States of America

DECLARATION THAT BRIAN GAVE THE DISABILITY
RIGHTS OF NC CONTACT INFORMATION TO FORMER PUBLIC
DEFENDER BEFORE THE PLEADING OF GUILTY

I am Brian David Hill the defendant in this federal case. I am filing this declaration under Oath regarding the fact that a day before the guilty plea was entered, I gave the contact information of Karla Blackwell to Eric Placke. Karla is who I believed at the time worked for Disability Rights of North Carolina. I also believed at the time that it was a legal group that may be able to represent me so that I can get rid of my lousy public defender Eric David Placke. I had specifically told Placke that I wanted an attorney to take over my case, in other words I wanted a new attorney. So I slipped out a legal envelope with the information of Disability Rights of NC which includes the legal address, and name of the contact person named Karla Blackwell.

Placke did informed me that he had contacted Disability Rights of NC before I took the guilty plea. He stated that they are not criminal defense attorneys and that the government still wanted to offer me the plea agreement. I flat out told him that I wouldn't and had planned to fight at the Jury Trial on my own without the help of my lawyer, since my former lawyer wouldn't help defend me at all during the Trial.

As I sat in the courtroom beside of Donnie Robbins (A Defendant charged with a different offense, I believe it may have been from what I remember some kind of firearm charge by a convicted felon) around June 10, 2014. My family was also present in the courtroom that day. They started trying to say something to me and Defendant Robbins heard it and told me that my family was trying to tell me

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Signed

something, then told me that they said "take the plea agreement" and I was confused as to why all of the sudden my family wanted me to plead guilty. I assumed that my family had a plan to overturn my conviction if I just take the plea agreement. Then when Placke showed up and wasn't happy about me not taking the plea agreement, I told him I have decided to take the guilty plea.

After that Placke started looking very happy that I took the U.S. Attorney's offer for a plea agreement even though I am Innocent. I asked him that in the event the FBI found evidence in the future that will help prove my Innocence, if I would be able to overturn my conviction. He told me upon a finding of new evidence which of course I knew at the time new evidence will come someday to help acquit me in the future. So I went along with the public defender's wishes for pleading guilty. They weren't my wishes and I never wanted to plead guilty but I did so because it was the public defender's wishes and I had no attorney other then Placke.

Placke had no interest in defending me in a Jury Trial even though I wanted to fight so hard so badly to beat my charge and prove my Innocence. I had no other attorney then Placke at the time. Placke was offering me Time Served sentence when I can be facing hard time in prison for attempting to fight my own battle which would never be feasible due to my mental disability and being easily manipulated. Without an attorney fighting on my behalf, by the time I would have started defending myself in the trial, I would have been manipulated by the U.S. Attorney into making false incriminating statements and then the prosecutor confusing me with questions till the point where the whole Jury finds me guilty even though I am Innocent. I need a real lawyer to prove my Innocence, I need a Trial lawyer and not a plea bargaining attorney. I need a lawyer to defend me at Jury Trial and Placke was not one of those lawyers. Karla Blackwell was not going to help me and neither was the head of Disability Rights of NC legal organization. I took the guilty plea knowing I had no choice because I knew by being offered Time Served I can get out of jail then look for a lawyer to take it back to trial at a later time. Outside of Jail I can slowly gather evidence, file complaints, and find witnesses to aid in helping me overturn my conviction so that I get a fair trial and can have a fair shot at being acquitted.

As of right now a private attorney named Cynthia Everson is taking an interest in my case and wishes to fight to overturn my criminal conviction. That is the very

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reason why I filed the two NOTICE OF APPEAL filings in January. I also was able to see all of my Discovery evidence for the first time since I was indicted. I saw the SBI case file report and it looked like something that doesn't prove me guilty beyond any reason of doubt. I was mortified that I plead guilty to evidence that may be false, inaccurate, or even possibly easy to challenge. I started seeing holes in the evidence and my whole family now knows I would have won the Jury Trial in June 2014 had private counsel been representing me and not the overburdened public defenders that get every single indigent inmate to plead guilty.

Anyways I did give the contact information of Disability Rights of NC to my former public defender counsel. That information was given to me by my family when I needed to protect my rights as a disabled person that were being violated by my wrongful incarceration. I never should have been incarcerated in the first place. I never should have been indicted. I never should have been given half my insulin which caused me to lose weight down to 140lbs. Diet trays just worsened my health as my body needs calories and carbohydrates and the insulin to cover those carbs. So my health was deteriorating which also caused me to be more easily influenced when my family told me to take the guilty plea agreement.

I figured out that Placke wanted to make sure that Disability Rights would never get involved. I also told Placke that I wanted The Rutherford Institute to get involved to help build a indigent legal defense team to help me fight my charge. I never heard a word from Rutherford Institute the entire time I was incarcerated in jail. I feel that Placke had sabotaged every lawyer I wanted to replace Placke as my legal counsel. I felt all he ever wanted was a good guilty plea deal.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 2nd, 2015.


signed

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